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IN REPLY TO RFP CC NO:

ACTION ITEM STATUS

PARTIAL/OPEN

A CLOSED

LTR APPROVALS:

JS B: DLS: A

SB: DLS: AND SPIG & TYPIST INITIALS
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SEG&G ROCKY FLATS

EG&G ROCKY FLATS, INC.
ROCKY FLATS PLANT, P.O. BOX 464, GOLDEN, COLORADO 80402-0464 • (303) 966-7000

September 27, 1993

93-RF-11839

Richard J. Schassburger Acting Director Environmental Restoration Division DOE. RFO

Attn: J. Pepe, B. K. Thatcher

RESOURCE CONSERVATION AND RECOVERY ACT (RCRA) UNIT NO. 63, OPERABLE UNIT (OU) 15 - WSB-409-93

The purpose of this correspondence is to provide the Department of Energy, Rocky Flats Office (DOE, RFO) with information regarding the removal of RCRA [Resource Conservation and Recovery Act] Unit No. 63, Building 371 Drum Storage Area [Individual Hazardous Substance Site (IHSS) No. 212] from the Interagency Agreement (IAG) schedule for Operable Unit (OU) 15. IHSS 212 was removed from the IAG schedule for OU 15 via the Phase I RCRA Facilities Investigation/Remedial Investigation (RFI/RI) Work Plan (RFI/RI) scoping, preparation, and approval process conducted with DOE,RFO, the Colorado Department of Health (CDH), and the Environmental Protection Agency (EPA).

Removal of IHSS 212 from the IAG schedule for OU 15 was initiated due to the continued use of IHSS 212 as a drum storage area permitted as RCRA Unit No. 63 within the RCRA Mixed Waste Residue Permit for Rocky Flats Plant (RFP). It was recognized by DOE, RFO, CDH, and EPA that implementation of the Phase I RFI/RI Work Plan for OU 15 within IHSS 212 would not be feasible given the fact that approximately 450 drums are currently stored within RCRA Unit 63 (IHSS 212).

In order to close Unit 63 with respect to the IAG, both CERCLA [Comprehensive Environmental Response Compensation and Liability Act] and RCRA requirements must be fulfilled. For this reason, IHSS 212 was not removed from the IAG. Closure of Unit 63/IHSS 212, with regard to RCRA for which CDH is the "lead" regulatory agency, will be accomplished via the RCRA Closure Plan for Unit 63 included within Part VIII of the Mixed Residue Permit Modification for RFP. Closure of IHSS 212, with respect to CERCLA for which EPA is the "lead" regulatory agency, will be accomplished via a CERCLA decision document.

Radioactive contamination cannot be specifically addressed within the RCRA Closure Plan for Unit 63 since CERCLA, not RCRA, regulates radioactive contamination and the EPA does not review or approve RFP RCRA Closure Plans. If radioactive contamination were

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specifically addressed within the RCRA Closure Plan for Unit 63, CDH would probably not have the authority to approve the RCRA Closure Plan. Therefore, it was agreed per CDH's comments on the Final Phase I RFI/RI Work Plan for OU 15 "that inclusion of the Phase I RFI/RI work for Unit 63 within the Mixed Residue Permit Modification does not remove IHSS 212 from the IAG; that any necessary corrective action beyond the IHSS will be performed pursuant to the IAG; and that DOE will eventually need to issue a CERCLA decision document to close the unit."

Language that clarifies the closure process for RCRA Unit 63 is not currently included within the Closure Plan for Unit 63. EG&G Rocky Flats recommends that the Closure Plan for Unit 63 within Part VIII of the Mixed Residue Permit for RFP be modified to clarify the closure process for Unit 63 as discussed above. EG&G Rocky Flats recommends that specific language addressing radioactive contamination **not** be included within the Closure Plan for Unit 63 within Part VIII of the Mixed Residue Permit for RFP.

If you have questions regarding this correspondence, please contact D. L. Schubbe of Remediation Project Management at extension 8709.

W. S. Busby

Acting Director

ERM/Remediation Project Management

EG&G Rocky Flats, Inc.

DLS:dmf

Orig. and 1 cc - R. J. Schassburger